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CARDIVA MEDICAL, INC.

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 ST. CROIX SURGICAL SYSTEMS, LLC,
21 Plaintiff,
22 v.
23 CARDIVA MEDICAL, INC.,
24 Defendant.

Case No. 3:18-cv-04426-RS

STIPULATION AND ORDER REGARDING
MARKMAN HEARING DATE
AS MODIFIED BY THE COURT

Markman: July 17, 2019 at 10 a.m.

25 Pursuant to Civil Local Rules 6-2 and 7-11, Plaintiff St. Croix Surgical Systems, LLC
26 ("St. Croix") and Defendant Cardiva Medical, Inc. ("Cardiva") provide the following stipulation and
27 proposed order regarding the *Markman* hearing date:

28 WHEREAS St. Croix filed a reply claim construction brief (Dkt. 49-1), reply declaration of

1 Dr. Matthew Becker (Dkt. 49-4), and two reply exhibits (Dkt. 49-2, Dkt. 49-3), on June 13;

2 WHEREAS Cardiva filed an objection (Dkt. 50), and motion to strike and motion for leave to
3 file a sur-reply (Dkt. 51), on June 20;

4 WHEREAS St. Croix's response to Cardiva's motion to strike and motion for leave to file a
5 sur-reply is due July 5, and Cardiva's reply is due July 12;

6 WHEREAS the hearing on Cardiva's motion to strike and motion for leave to file a sur-reply
7 is currently scheduled for August 1 (Dkt. 51);

8 WHEREAS the *Markman* hearing is currently scheduled for July 17 (Dkt. 48);

9 WHEREAS the parties agree that the motion to strike and motion for leave to file a sur-reply
10 should be heard before the *Markman* hearing;

11 The parties therefore propose, subject to Court approval, to continue the *Markman* hearing
12 until after the motion to strike and motion for leave to file a sur-reply. The parties are available on
13 August 8, 2019. The proposed modification would allow the Court time to review the briefing on the
14 motion to strike and motion for leave to file a sur-reply. The parties' proposed briefing schedule would
15 not alter any other deadlines in this case. (Milch Decl. ¶¶ 2-8.)
16

17 Dated: July 1, 2019

18 GARDELLA GRACE P.A.

COOLEY LLP

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20
21 /s/ W. Cook Alciati

/s/ Dena Chen

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PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

Event	Deadline
<i>Markman</i> Hearing	August 9, 2019 at 10:00 AM.

Dated: July 2, 2019


Hon. Richard Seeborg